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coal mine workers

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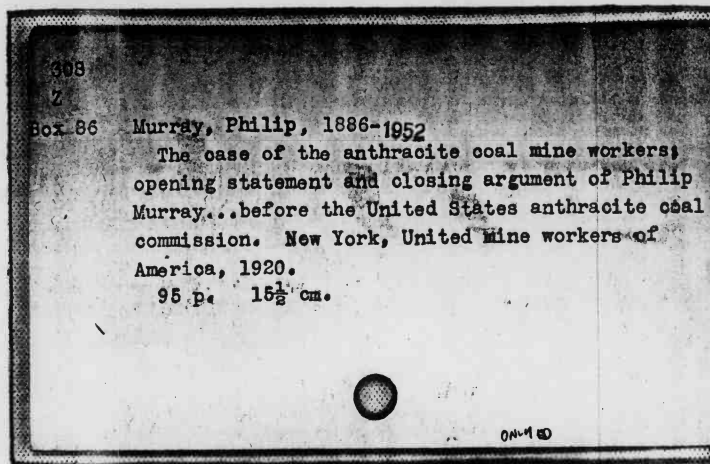
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THE CASE OF THE  
ANTHRACITE COAL MINE  
WORKERS

OPENING STATEMENT AND  
CLOSING ARGUMENT

of

PHILIP MURRAY

VICE-PRESIDENT

THE UNITED MINE WORKERS OF AMERICA

before the

UNITED STATES  
ANTHRACITE COAL COMMISSION



Published by  
THE UNITED MINE WORKERS OF AMERICA  
1920

Aug 17, 1920 Ohio

THE CASE OF THE  
ANTHRACITE COAL MINE  
WORKERS

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OPENING STATEMENT

## OPENING STATEMENT

*Mr. Chairman and Members of the Commission:*

The present proceedings are the outgrowth of an extended series of conferences between the representatives of the anthracite mine-workers and operators which were, in turn, followed by an attempt at mediation of the points in dispute by the Secretary of Labor. Conferences between the mine-workers and operators began in New York on March 9 of the present year and continued until April 29. On the latter date they closed without an agreement being reached. Both parties to the controversy were then requested by the Secretary of Labor to meet with him in Washington. His invitation was accepted, and mediation proceedings were started on May 1 and continued to May 25. The Secretary of Labor finally proffered terms of settlement to both parties. I shall now read for your information the agreement proffered by the Secretary, and have it made a part of the record.

It is as follows:

"THIS AGREEMENT, made this----- day of May, 1920, between Districts 1, 7 and 9, United Mine Workers of America, parties of the first part, and the Anthracite Operators, parties of the second part, covering wages and conditions of employment in the anthracite coal fields of Pennsylvania.

"Witnesseth: The terms and provisions of the award of the Anthracite Coal Strike Commission and subsequent agreements made in modifications thereof or supplemental thereto, as well as the rulings and decisions of the board of conciliation, are hereby ratified, confirmed and continued for a further period of two years, ending March 31, 1922, except in the following particulars, to wit:

"a. The contract rates at each colliery shall be increased 65 per cent over and above the contract rates at each colliery effective April, 1916, as established by the agreement of May 5, 1916.

"b. The day rates of outside and inside men, receiving \$1.545 or more per day under the agreement of May 5, 1916, shall be increased 65 per cent plus \$1.20 per day, or per shift, above the rates established in said agreement of May 5, 1916, it being understood that the new rate so established shall be not less than \$4 or more than \$6 per day or per shift.

"c. The day rates of employees receiving less than \$1.545 per day under the agreement of May 5, 1916, shall be increased \$1.50 per day, or per shift, above the rates established in said agreement of May 5, 1916.

"d. The rates paid contract miners' laborers and consideration miners' laborers shall be increased above the rates established under the agreement of May 5, 1916, to the same amount per day as the increase to company laborers, at the respective collieries, under the provisions of clause (b) hereof, it being understood that, in the case of contract miners' laborers, the miner is to assume and pay so much of said increase as shall be represented by the application of 65 per cent to the rate per basic shift as established under the agreement of May 5, 1916, and the difference between said amount and the total increase to the contract miners' laborer shall be assumed and paid by the operator.

"e. Monthly men coming under the agreement of May 5, 1916, shall be paid an increase of 65 per cent plus \$36 per month over the monthly rates established in said agreement of May 5, 1916, it being understood that the increase thus made shall be not less than \$20 or more than \$30 per calendar month over the rates now in effect.

"f. The employees of

#### Stripping Contractors

shall be paid an increase per day, or per month, corresponding in amount to the difference between the rates in effect March, 1920, and the rates established under this agreement for employees of the operators in similar occupations at the same colliery.

"g. The employees of tunnel contractors shall come within the terms of this agreement and the day rates of their employees shall be increased 65 per cent, plus \$1.20 per day, above the rates established under the agreement of May 5, 1916.



"h. The increases herein provided shall become effective April 1, 1920, and where they apply to day rates are to be applied to a day of eight hours or more, as established under the agreement of May 5, 1916.

"i. It is understood and agreed that the case of inside pumpmen and inside and outside hoisting engineers working a twelve-hour cross shift shall be referred to the board of conciliation. The board shall work out a basis of eight-hour shifts, and the rates to be paid for an eight-hour day. Pending the decision of the board, inside pumpmen and inside and outside hoisting engineers working a twelve-hour cross shift shall continue on that basis and shall be paid the same increase as provided for day men under clause (b) hereof. When the rates to be paid for an eight-hour day have been established by the

#### Board of Conciliation

time in excess of eight hours per day shall be paid for at the rate of per hour established for the eight-hour day.

"j. It is understood and agreed that the board of conciliation shall act as a commission to make a study of and report to the joint conference at the expiration of this contract, the matter of uniformity in day rates for the several occupations of day men at the respective collieries in the anthracite field.

"k. Contract miners whose tools are lost through no fault of their own as the result of squeezes, cave-ins and similar accidents, shall be furnished with

new tools by the company corresponding to the tools he has lost, without expense to the miner.

"l. Whenever contract miners reporting for duty are shut out of work through no fault of their own, they shall be given opportunity of working in other places or such other work if such other places or work are available.

"m. Whenever deficient or abnormal conditions are encountered in a working place by contract miners, the miner or miners affected shall make such fact known to the foreman, and if the foreman and the men affected are unable to agree, it shall be referred to the grievance committee and dealt with in the manner provided for other grievances. Work shall be continued pending the adjustment, unless otherwise directed by the foreman, and whatever decision is made shall be retroactive to the date upon which the grievance was raised.

"On behalf of \_\_\_\_\_

"On behalf of \_\_\_\_\_

"Anthracite Operators:

"U. M. W. of A.

\_\_\_\_\_  
"President District No. 1.

\_\_\_\_\_  
"President District No. 7.

\_\_\_\_\_  
"President District No. 9.

\_\_\_\_\_  
"President.

"Attest:

\_\_\_\_\_  
"Chairman.

\_\_\_\_\_  
"Secretary."

In the meantime, on May 21, 1920, President Wilson, in anticipation of a possible failure of the negotiations, addressed a joint letter to the Scale Committee of Miners and Operators, stating that should an agreement not be reached, he would appoint a commission similar in its powers and composition to the former Bituminous Coal Commission. I shall read his letter for your information and have it made a part of the record. It is as follows:

"The White House,  
Washington, May 21, 1920.

"To the Operators and Miners of the Anthracite Wage Scale Committee.

"Gentlemen: I have watched with more than passing interest your efforts to negotiate a new wage scale for the anthracite coal fields. The arrangement to continue work at the mines after April 1 pending the adoption of a new agreement, which you entered into when the previous wage scale was about to expire, was highly commendable and filled us all with hope that a new contract would be mutually worked out and the supply of anthracite coal continued without interruption. I sincerely trust that the hope will be fully realized.

"I have, however, been advised that there is a possibility you may not come to an agreement. I am sure I need not remind you that we have not yet recovered from the economic losses incident to the war. We need the fullest productivity of our people to restore and maintain their own economic standards and to assist in the rehabilitation of Europe. A strike at any time in a great basic in-

dustry like anthracite coal mining would be a very disturbing factor in our lives and industries. To have one take place now, while we are actively engaged in the problems of reconstruction, would be a serious disaster. Anthracite coal is used principally in domestic consumption. Any shortage in the supply would affect a multitude of homes that have been specially equipped for the use of this kind of fuel. It would have to be supplemented by the use of substitutes, such as bituminous coal or oil, diverting these commodities from transportation and manufacturing industries which they now supply, using more cars because of the longer hauls and thereby reducing the efficiency of our transportation systems that are already burdened beyond their capacity. Such a condition must not occur if there is any way of avoiding it.

"I am not familiar with the technical problems affecting the making of your wage scale. You are. You should therefore be able to effect an agreement. If for any reason you are unable to do so, I shall insist that the matters in dispute be submitted to the determination of a commission to be appointed by me, the award of the commission to be retroactive to the 1st of April, in accordance with the arrangement you have already entered into, and that work be continued at the mines pending the decision of the commission. I shall hold myself in readiness to appoint a commission similarly constituted to the one which I recently appointed in connection with the bituminous coal mining industry as soon as I learn that both sides have signified their willingness to continue at work and abide by its decisions.

"Respectfully yours,  
(Signed) "WOODROW WILSON."

A delegate convention from the different anthracite districts was called to meet in Wilkes-Barre on May 27 for the purpose of ascertaining the decision of the mine-workers relative to the matters under discussion. The proposed agreement drafted by Secretary Wilson was placed before them, together with the notice of President Wilson that he would create a commission to pass upon the matters in dispute in the event that no agreement could be reached. It was finally decided by the vote of the convention to reject the proposal of the Secretary of Labor and to accept as an agency of adjustment the commission as outlined by the President.

In accordance with this action, the creation of the Commission was proclaimed by President Wilson on June 3, 1920. I shall read his proclamation for your information and have it made a part of the record. It was as follows:

**"By the President of the United States of America,  
a Proclamation.**

"Whereas the wage scale of the anthracite coal operators and miners expired on March 31, 1920; and

"Whereas the operators' and miners' wage scale committee has been in conference since early in March in an effort to negotiate a new wage scale; and

"Whereas the committee agreed at the beginning of its sessions that any agreement finally arrived at would become retroactive to April 1, 1920; and

"Whereas I addressed a communication to the scale committee on May 21, 1920, when a disagreement was imminent, in which I said that if the scale committee was unable to reach an agreement I would insist that the matters in dispute be submitted to the determination of a commission to be appointed by me, the award of the commission to be retroactive to April 1, in accordance with the arrangement you have already entered into, and that work be continued at the mines pending the decision of the commission, I shall hold myself in readiness to appoint a commission similarly constituted to the one I recently appointed in connection with the bituminous coal-mining industry as soon as I learn that both sides have signified their willingness to continue at work and abide by its decisions; and

"Whereas the scale committee has further agreed as follows:

"(1) The terms and provisions of the award of the Anthracite Coal Strike Commission and subsequent agreements made in modifications thereof or supplemental thereto, as well as the rulings and decisions of the board of conciliation, will be ratified and continued, excepting in so far as they may be changed by the award of the commission.

"(2) When the award of the commission is made it will be written into an agreement between the anthracite operators and miners in such manner as the commission may determine.

"(3) It is understood that neither operators nor miners are in any manner bound by any tentative suggestions that have been made during the period of their negotiations and that either side shall use

its own discretion in the presentation of its case in connection with matters at issue':

"Now, therefore, I, Woodrow Wilson, President of the United States, hereby appoint William O. Thompson, of Columbus, Ohio; Neal J. Ferry, of McAdoo, Pa., and William L. Connell, of Scranton, Pa., a commission to hear and decide the questions in dispute between the anthracite coal operators and miners. Its reports will be made within sixty days, if possible; will be retroactive to April 1, 1920, and will be made the basis of a new wage agreement between the anthracite operators and miners in such manner as the commission may determine.

"In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done in the District of Columbia this 3d day of June, in the year of our Lord Nineteen Hundred and Twenty, and of the Independence of the United States the One Hundred and Forty-fourth.

"WOODROW WILSON.

(Seal.)

"By the President,

"BAINBRIDGE COLBY,

"Secretary of State."

#### **The Maintenance of Industrial Peace and Production.**

Such is the outline of the long-continued negotiations which finally culminated in the appointment of this Commission. Throughout this period of more

than three months the representatives of the United Mine Workers have realized the importance of continuous production. They have been also keenly conscious of the far-reaching industrial results which would result from a stoppage of work—the constant effort, therefore, has been to prevent a threatened breakdown in this industry, which would undoubtedly cause general distress to the public and be attended by serious and widespread dislocations in other industries which are dependent on the anthracite coal industry. We have constantly striven, therefore, even to the impairment of our own interests, to prevent any rupture of industrial peace or any interference with the continuity of production. During the negotiations in New York our original demands, in the effort to secure a settlement, were modified and reduced to the minimum necessary to the protection of the livelihood of the mine-workers. We reduced our requests for wage adjustments until we could go no lower without being faithless to our constituents. We believe no men could have gone further than we have with concessions in order to reach an agreement and thus prevent industrial warfare and interference with essential production.

It is in this same spirit we approach the work of this Commission. We welcome its appointment. We have complete faith in the justice of our cause. We are glad to have the facts in this controversy submitted to judicial determination. We believe that an im-

partial analysis of the facts will vindicate our contentions. We wish without reserve to assist the Commission in every possible way within our power in arriving at the truth and in reaching a fair award. Whatever the decision may be, we shall abide by it and pledge ourselves, so far as we are concerned, to see that it is practically applied and maintained inviolate.

### **The Conditions of Submission.**

The understanding between the representatives of the miners and the operators is that in submitting our grievances to the Commission all past offers, suggestions or proposals by either party are of no value as precedents. The proceedings are, as it were, opened up anew. All that has gone before is as if it had not occurred. The slate is wiped clean. Neither party is bound or in any way compromised by what has taken place in previous conferences or mediation proceedings.

For the purpose of placing this point beyond dispute, and for the further purpose of establishing a record as to the conditions of submission to the Commission, the joint scale committee has drawn up a memorandum of understanding, as it were, which constitutes the conditions of submission to your honorable body. I shall read it to you and make it a part of the official record. It is as follows:

"(1) The terms and provisions of the award of the Anthracite Coal Strike Commission and subsequent agreements made in modification thereof or supplemental thereto, as well as the rulings and decisions of the board of conciliation, will be ratified and continued, excepting in so far as they may be changed by the award of the commission.

"(2) When the award of the commission is made it will be written into an agreement between the anthracite operators and miners in such manner as the commission may determine.

"(3) It is understood that neither operators nor miners are in any manner bound by any tentative suggestions that have been made during the period of their negotiations, and that either side shall use its own discretion in the presentation of its case in connection with matters at issue."

### **"Demands of the Anthracite Miners.**

The requests which we wish to submit to the Commission for their consideration and decision are as follows:

"Adopted by the Delegates of the Tri-District Convention held at Wilkes-Barre, Pa., August 19 to August 23, 1919, as Paragraphed by the Sub-Committee March 15, 1920, and as Modified by Miners' Scale Committee.

"1. We demand that the next contract be for a period not exceeding two (2) years, and that the making of individual agreements and contracts in the mining of coal shall be prohibited.

"2. We demand that the present wages of the anthracite mine workers be increased to correspond to the increases granted the bituminous mine workers by the Presidential Coal Commission.

"3. We demand that a uniform wage scale be established so that the various occupations of like character at the several collieries shall command the same wage.

"4. We demand that shovel crews operating for coal companies shall be paid not less than the rates paid by contractors to shovel men.

"5. We demand that the eight-hour day be extended to all classes of inside and outside day labor and monthly men, with time and half time for overtime and double time for Sundays and holidays.

"6. We demand a closed-shop contract, which means full recognition of the United Mine Workers of America as a party to the agreement.

"7. We demand that all deadwork shall be paid for on the consideration basis existing at the colliery, and that where more than one miner is employed they shall receive the same rate.

"8. We demand payment for all sheet iron, props, timber, forepolling and cribbing.

"9. We demand where miners are prevented from working on account of lack of supplies that they shall be accorded the opportunity of making a shift at some other work.

"10. We demand in the settlement of grievances that the aggrieved parties shall have the right to demand settlement upon a basis of equity, and if such equity settlement is requested, the conditions of 1902 shall not enter into or prejudice the case.

"11. We demand that a uniform rate of 17 cents

per inch be paid for all refuse in all kinds of mining up to ten feet wide, and a proportional rate be applied for all over ten feet.

"12. We demand that wherever miners are now paid on the car basis that hereafter they shall be paid on the legal ton basis, and that dockage shall be eliminated.

"13. We demand that on all reel motors one motorman and two brakemen be employed, and that on all other motors and engines assistants or patchers be employed, and that when motormen or engineers are repairing their motors or engines their assistants shall be employed to help in the work.

"14. We demand that for all tools lost through no fault of employees as a result of squeezes, water or fire the men to be compensated for such losses.

"15. Where contract miners are employed doing company work the company shall supply them with the necessary tools, and failing to do so, shall compensate the miners by paying each miner not less than one extra hour per day for the use of such tools.

"16. We demand that the company shall supply to all company men the necessary tools free of charge.

"17. We demand that checkweighmen and check-docking bosses be permitted to serve as members of mine committees.

"18. We demand that where contract miners encounter abnormal conditions in their working places they shall have the privilege of going on consideration work. A definition of consideration work will be written into the agreement."

The more important of these requests, relating to the length of the workday in certain occupations, the standardization and increase in rates of pay, and the formal recognition of the United Mine Workers of America, may be briefly summarized as follows:

1. Eight-hour day for those occupations which are based on a longer workday, such as engineers, pumpmen, stablemen, etc.

2. Standardization of rates of pay for the same work throughout the field.

3. The same increases in rates of pay as were granted to soft-coal mine-workers by the President's Bituminous Coal Commission by its award of March 19, 1920. This demand involves the following increases:

A. The establishment for all adult day workers who are now receiving less than \$5 a day a rate of \$6 per day.

B. An increase of \$1 per day to all adult day workers who are now being paid \$5 or more than \$5 a day.

C. Workers paid on a monthly basis to receive an increase proportionate to their rate per day computed on the basis of the number of days worked per month.

D. Boys who are now receiving less than men's wages to be advanced 53 cents per day.

E. Thirty-one per cent increase on all contract rates.

4. Formal recognition of the United Mine Work-

ers of America, the award of this Commission to be written into an agreement to be signed by representatives of the operators and of the United Mine Workers of America.

All of these requests are clear with the possible exception of those for wage adjustments. In order that they may be completely understood it may be said that the advances in rates of pay requested do not consist in a mathematical application to anthracite wage rates of the increase in terms of per cent granted by the Bituminous Coal Commission in March of this year to the soft-coal mine-workers. They embody, as a matter of fact, one very important exception. The request is made that all adult workers who now receive \$5 a day or less be granted a daily rate of \$6 a day, which corresponds to the minimum day rate in the bituminous coal-mining areas. In other words, the Commission is requested to establish a minimum day rate in the anthracite districts of \$6 for adult able-bodied mine-workers. By way of illustration, if an adult mine-worker is now receiving \$3.25, \$4.50 or any daily rate under \$5, he will, under this request, be advanced to \$6 a day. Briefly stated, our wage request means (1) the establishment of a minimum living wage of \$6 a day for the lowest-paid workers; (2) an increase to all day men of \$1 a day who receive above the minimum, and (3) percentage increases of 31 per cent on all contract rates. The granting of these requests would place the an-

thracite workers, as far as earning capacity and economic status are concerned, on a parity with the workers in bituminous mines at the present time.

#### Outline of Method of Presentation.

In support of the above requests, we shall submit for your consideration both personal and documentary evidence. The presidents of the three anthracite district organizations of the United Mine Workers of America, Messrs. Dempsey, Kennedy and Golden, will address you at some length and submit comprehensive statements of fact to justify our position. They have a long and practical experience in the industry and with the working of previous agreements with the operators. They are also fully conversant with local conditions in all the districts and with the technical aspects of anthracite operations. They are in a position to elaborate or develop any special points in which the Commission may be interested or on which detailed information may be desired either through documentary evidence or personal witnesses.

When the presentation of these local and practical matters have been concluded, we shall then proceed to submit our more general economic arguments and analyses in support of our contentions. In this connection, we have retained Mr. W. J. Lauck, an economist of Washington, who has had considerable experience in such work. Mr. Lauck with a corps of

assistants has prepared a series of exhibits in support of our requests which he will explain and present to the Commission. These exhibits and these analyses will cover the increased cost of living; comparison of wage rates and the cost of living; standards of living; the sanction for a living wage; the sanction for the eight-hour day; the sanction for union recognition; regularity of employment in anthracite mines, and the relation between wages, prices and profits in the production and distribution of anthracite coal.

When Mr. Lauck has concluded the presentation of these aspects of our case, we shall rest and permit the representatives of the operators to submit their evidence. When they have concluded, we shall expect the Commission to grant us a reasonable time for offering any testimony in rebuttal and for the final summing up and oral argument.

#### Synopsis of Argument.

In order that our position may be clearly understood and so that the Commission may have an opportunity as our evidence is submitted to relate it to the different points in our argument, I shall briefly outline in advance what the different steps in our argument will be. This will enable you at the outset to secure a comprehensive grasp of your position and the justification of our attitude as it appears to us.



1. In the first place, we shall show by an exhibit based on data from official and authoritative sources that the retail prices of commodities entering into the budgets of the families of mine-workers, or, in other words, the cost of living of anthracite mine-workers, has advanced on a conservative estimate 104 per cent during the period since the outbreak of the World War, from July, 1914, to May, 1920.

2. In the second place, increases in rates of pay granted to anthracite workers during the war period have not kept pace with these advances in living costs. We shall show by exhibits that an increase in rates of 36 per cent is now necessary to restore the pre-war purchasing power of anthracite rates of pay, not to mention the losses which have been incurred by the workers through the failure of wage rates to keep pace with living costs.

3. Third, as a basis of wage adjustment, however, we shall hold and show that the principle of increased living costs should now be abandoned for the reason that it was an emergency measure temporarily sanctioned for the period of the war. The acceptance of this principle affords in our opinion no basis or hope of progress or greater economic welfare to our members. On the contrary, it simply means the perpetuation of deplorable and unacceptable pre-war rates of pay and standards of living.

4. Fourth, we shall submit further evidence relative to wages, to prove that not only the earnings, but

the rates of pay of bituminous mine-workers are greater than those in the hard-coal fields. It will be our position that the minimum which we should be expected to accept in the way of wage advances should be the rates of pay which now prevail in the bituminous areas—both the minimum rates for day workers and the percentage of increases granted tonnage employees by the former Bituminous Coal Commission.

5. We shall next submit evidence to show that the old theory of fixing wages by the unhampered laws of supply and demand has been universally condemned, and as a substitute a new conception of wage standards has been developed, which proceeds from the basis that all workers, including unskilled wage-earners, should receive rates of pay which would permit them to support their families on the basis of health and decent comfort, or according to accepted American standards of living, and above this minimum living rate for the lowest grade of workers, differentials should be established corresponding to skill, hazard, training, responsibility and productivity.

6. Our next step will be to prove that the establishment of rates of pay upon these bases—which have received the sanction of the enlightened opinion of our country and of the world—can be practically done by the Commission, and every consideration, not only of economic justice, but also of wise industrial statesmanship, requires that this should be done at the present time.

7. We also submit detailed data showing the earnings and rates of pay of anthracite as compared with bituminous coal-mine workers, and the relative opportunity for work and earnings in both the hard and soft coal mines.

8. We shall also place before the Commission the results of a study which we have made as to the occupational hazards of the anthracite mine-workers, and shall demonstrate to you the truth of the statement that there is no other industry so subject to exceptional hazards as the coal industry.

9. We shall also prove conclusively from official data that there is no relation between labor costs of mining anthracite coal and the exorbitant price which is exacted from the consumer; or, in other words, that the rates of pay of anthracite mine-workers are not the determining factor in fixing the price of coal to the consumer. Our contention will be, and we shall demonstrate its correctness, that by propaganda and misrepresentations the attempt has been made to have the public believe that if the wages of anthracite mine-workers or other classes of industrial workers are increased, it will bring about another step in the vicious circle of the increased cost of living. Nothing could be further from the truth. This claim, we shall show, is merely the expedient which has been used by coal and other profiteers who have robbed and are robbing the public in an indefensible and dishonorable way and attempting to place the guilt of their crimes

upon the innocent representatives of labor, who are merely requesting that the members of their organizations be granted a subsistence wage. On this phase of the question we shall show that the interests of the anthracite miners, as well as other classes of workers, and the interests of the public are identical, and that both the public and the workers are being exploited.

10. In this connection we shall also prove, so far as the anthracite industry is concerned, that during the last quarter of the nineteenth century, or from 1873 to 1898, persistent attempts were made to eliminate competition in the production and sale of anthracite coal. There were two reasons for this: (1) The need of payment of enormous interests incurred in the attempt to secure control of the coal deposits, and (2) the fluctuating character of the demand for anthracite coal. Storage of coal was deemed impracticable. Selling pools had been tried unsuccessfully. As a consequence, a new policy beginning in 1898 was adopted, which resulted practically in the monopolization of the industry.

1. The coal-carrying railroads were brought under a single control.
2. Independent operators were eliminated.
3. The railroads secured control of the mining of coal.
  - a. By ownership of the stock of coal companies.

b. By consolidation under a holding company of railroads and coal companies.

c. By direct mining operations.

As a result of the establishment of this control, wholesale prices were increased and stabilized, the profits of the coal-producing companies in the majority of instances were kept at a low level, and excessive freight rates, out of all proportion to the cost of carrying coal, were used as a method by the railroad companies to absorb and conceal the large profits of the monopoly.

Under present conditions, therefore, we shall prove that the retail price of coal is out of all proportion to the legitimate cost of producing and distributing anthracite coal. Moreover, there is no relation between labor, cost of production, or the wages of anthracite workers, and prices. If the excessive profits resulting from the monopoly were eliminated and the industry conducted with a wholesome regard for the public welfare, a liberal return could be made to the capital honestly and prudently invested, the wages of anthracite workers could be very greatly increased to living American standards, and the price of coal to the consumer greatly reduced. Under the practical operation of the monopoly since 1898 both the worker in the mines and the consumer of anthracite coal have been grievously exploited. Until the monopoly conditions have been turned to the public interest there can be no permanent hope in the industry

either for those who labor to produce coal or those who use it for domestic or other purposes.

11. Finally, we shall show that our request for full and complete recognition of our union—the United Mine Workers of America—and the signing of our agreement based on the award of this Commission by representatives of United Mine Workers and operators, or, in other words, the recognition of the union as the basis of collective bargaining in the anthracite field, is sanctioned by the enlightened opinion of men of affairs—statesmen, judges, publicists and legislators—by official agencies dealing with industrial problems, by the church as an institution, and by leading employers of labor. Furthermore, we shall show that the Anthracite Coal Commission of 1902 stated that it would have expressly directed recognition of the union as a basis for collective bargaining had the matter been within its jurisdiction.

Our basic contention is that the present attitude of the operators toward our organization is unfair. Negotiations are now carried on with representatives of the United Mine Workers, and the operators expect the union to fulfill all the conditions of agreements as if they were real contracts. At the same time, by not formally recognizing the United Mine Workers and entering into an agreement with it, the operators deprive the union of its chief

strength or means of enforcing agreements. The task of the union in controlling the situation is thus rendered more difficult, the morale of the entire working force is impaired, and the union finds it extremely hard under these conditions to hold up its own members to working arrangements which have been agreed upon, because of the absence of a contract or of a direct moral and organization obligation.

It is our firm belief that the spirit of cooperation must prevail before maximum production and industrial peace can be realized in the anthracite mines, and that the spirit of cooperation cannot be secured without the formal recognition of the union by the operators. The opposition of the operators to union recognition has been short-sighted both from their own standpoint as well as that of the public. Temporary profits may have thus been secured and retained by not being required to meet union rates and conditions, but the gain is only temporary. In the long run they must recognize our organization, and in the meantime a generation or more has been lost in developing cooperative effort, efficiency and better conditions of production.

The Commission is a public agency, and we believe must meet its duties in a spirit of intelligent and courageous industrial statesmanship. It is not primarily concerned with immediate or temporary

gains to mine owners or mine workers. It is concerned in formulating a policy on the long-time basis, which permanently and constructively will be of advantage not only to the miners and the operators, but also to the public; or, in other words, to the consumer of coal.

To our mind, the requirement that the operators shall recognize the union is the essential preliminary to the formulation of such a policy by the Commission. Without the recognition of the union the realization of an enlightened public policy is hopeless.

This, in general, is an outline of the constructive policy which we shall place before your honorable body in justification of our contention. I shall not take up the different points in detail at present. This will be done later. My purpose now is merely to have the Commission obtain a general grasp of our position before we enter upon the detailed presentation. With this explanatory statement as an opening, I shall turn over the proceedings for the present to the three district presidents in the anthracite field.

FINAL ARGUMENT

## FINAL ARGUMENT

*Mr. Chairman and Members of the Commission:*

We came before this Commission with just demands. We were not fearful of trying our case before the public. On the contrary, we did our utmost to get all the facts with regard to the anthracite industry before the public—and when we say all the facts, we mean not only everything pertaining to the earnings, the living standards and the economic needs of the mine workers, but also everything pertaining to the earnings and profits of the industry and the ability of the industry to pay us a living wage.

Our demands have been met by the operators with the contention that they are now paying us a living wage, and with the further declaration that if there should be any wage increase it would mean an advance in the price of anthracite to the consumer, disturbing the general business equilibrium and further increasing the general cost of living.

When we sought to demonstrate by an inquiry into the monopolistic domination of the industry and its abnormally large earnings, direct and indirect, that our just wage demands could be met and the increase absorbed by the operators out of their profits, without an increase in the price of coal to the consumer, we encountered a technical objection from the operators, who raised the question as to the jurisdiction of the Commission to go into matters of costs, prices, profits and monopoly. Representatives of the operators insisted that they were not trying their case before the public, and in the parlance of the street, they were able to "get away with it" because the Commission was unable to find in the President's proclamation specific authority to go into those matters.

The outstanding development of the hearings which are now being brought to a close is the establishment for all time in this industry of the principle of the living wage, for which we have contended from the outset. The operators have declared repeatedly their acceptance of this principle and their purpose to adhere to it, and have stated that the sole point of difference with us is one of fact, as to what constitutes a living wage and how it should be determined.

It was not until the cross-examination that we secured from the operators the amazing statement that a mine-worker can live and support a family on American standards on a wage of \$3.34 per day. That is their translation of the principle of the living wage

into concrete figures! That is their measure of the worth of a man under present-day conditions. Mr. Huber's \$3.34 per day, plus Mr. Warriner's cows and chickens, fresh air and beautiful scenery, furnished us by the operators without price to us and without cost to themselves, comprise the sum total of their contribution to the information of the Commission as to how to determine and what to fix as a living wage for 152,000 workers.

On the other hand, we have submitted all the authoritative data as to what a living wage should be, and we have endeavored to demonstrate that there is a scientific basis for wage adjustments. To combat this the operators have brought forward only their own arguments and opinions—not a shred of real evidence.

In the circumstances, we submit that we are justified in saying that the operators' measure of a living wage is what he is willing to pay and the maximum that can be wrested from him by economic force. That is neither scientific nor enlightening. It is prehistoric both in principle and method, and modern only in that it measures the blindness of men of all ages who cannot see that the world moves because they themselves stand still.

We submit, further, that we have established beyond contradiction the following points:

1. Anthracite workers are not now receiving a living wage.

2. A living wage in this industry would be largely in excess of the maximum earnings which the operators show in their own table.

3. Our demand for a minimum wage of \$6 per day, with differentials, is reasonable and conservative.

Therefore, we contend that we have earned the judgment of this Commission for our full wage demands on our submission in this phase of the case.

#### **Attitude of the Operators Has Been Destructive.**

The attitude of the operators throughout the proceedings has been entirely destructive. They have limited their activities to the criticism of our presentation and to arguments against the exhibits which we have submitted. They have offered no data, nor have they made any proposal, as a basis for constructive action by the Commission. So far as wages are concerned, they have claimed they were adequate. So far as living conditions are concerned, they have asserted that they are decent, comfortable and all that could be desired. The case depends, primarily, therefore, upon the possibility of our demonstrating to the Commission the justness and soundness of our requests. If we are successful in this, as we hope we shall be, we may, therefore, expect the Commission to grant our demands in full.

#### **The Significance of This Case.**

At the very outset we wish to impress upon the Commission that we consider our case to be based

upon broad underlying facts and fundamental principles. In this connection we would warn you against the evident, all-absorbing motive of the operators. Their constant purpose has been to establish, as clever lawyers would, in legal proceedings, a technical record. They have been reluctant to face fundamental facts and principles. During the cross-examination of our representatives they have refused to answer questions. When we cross-examined them they demanded the privilege, which we fully accorded them, to question us. They have constantly answered our specific questions with argument and with repeated elaborations of these arguments. They have answered our exhibits, not with other exhibits of fact, but with a cleverly prepared brief—not based on statistical and other evidence, but upon a series of argumentative rejoinders almost entirely unsupported by facts or evidence of any kind. When, to expedite the proceedings, however, and to make possible the placing of our case in the same form before the Commission as the operators have already improperly and adroitly done, we suggested the submission of final briefs, the operators opposed any submission of briefs and urged that the case be closed by final, oral arguments.

What is of the greatest importance in this connection, however, and the point against which we especially wish to warn the Commission is, that it has been, throughout these proceedings and all previous negotiations, the purpose of the operators to attempt



to develop the case along the lines of clever statistical manipulation, so as to becloud the real issues, to bewilder the disinterested person who may wish to analyze the real points in controversy, and, by creating a smoke screen of this kind, to avoid meeting the real issues.

The record is clear, however, we believe, as to the uses which have been made of statistics and technical points. The experts and statisticians of the Commission can develop any inconsistencies or improper methods of either side. The Commission may decide after these experts have made their reports as to the relative merits of statistical methods. We shall not, therefore, further afflict the Commission with a long, technical discussion of these methods and manipulations.

There is only one point to which we would direct your attention, and this seems wholly unnecessary, because we believe the Commission clearly understands our position. It was incumbent upon us at the outset, with whatever data we could secure, to attempt to show and compare the present and past earnings of anthracite and bituminous mine-workers. Our constant claim has been, however, that the operators were in possession of the real facts and should present them to the Commission. The pay-rolls and operation records have now been made available to the Commission and its staff. The Commission can analyze these records

and render an unbiased conclusion as to earnings and days operated. We are willing to abide by the Commission's conclusions in these matters.

#### **Comparison of Anthracite and Bituminous Workers.**

The rates paid to different classes of anthracite workers, either on a tonnage or day basis, are also available to the Commission. They can be readily compared and are the only real bases of comparison of the two industries. Relative earnings or opportunity for employment should not be considered. It must be assumed as a basis of comparison that the effort should be made to put both hard and soft coal production on a working basis. Due to our inadequate transportation facilities, the bituminous coal miners have been able recently to secure a car supply which will assure them only two or three days work each week. By the exercise of monopoly control, on the other hand, and by reason of the fact that the anthracite railroads indirectly own and control the anthracite coal mines, they see to it that a full and complete car supply is forthcoming. The anthracite miners have more work than the bituminous, and the anthracite operators, therefore, claim that the anthracite miners should have lower rates of pay. The fallacy of such a contention is apparent without discussion. The remedy lies not in lower rates of pay to anthracite

mine-workers, but in improving transportation facilities and adopting other constructive policies so that the soft coal miners may have as regular opportunity for employment, and as great possibilities of earnings, as are now enjoyed by the anthracite workers. Both branches of the coal industry should be regularized as much as possible, and both branches should have the same rates of pay.

#### The Increased Cost of Living and Wages.

Another example of the fallacious reasoning and the deplorable ethical, or moral, attitude of the operators, is to be found in their claim that the increased cost of living should be compared with annual earnings and not with rates of pay. Translated into other terms, this contention on their part means that when the opportunity for employment is restricted that the workman should suffer, but if the field for employment expands the worker should be content because he has been given an opportunity to work. He should not seek to improve his condition by having his wage-rates advanced. He should be thankful, the operators intimate, that he can work longer—even by working overtime—so that he may be able to subsist in the face of constantly advancing level of prices—and despite the fact that as production increases the profits of the operators are proportionally greater for each ton of output.

We cannot refrain at this point, however, from calling to the attention of the operators that they should, in order to be consistent, have gone one step further in their argument. Mr. Warriner, in order to assist Mr. Huber in the desperate attempt to justify a standard of comfort in the anthracite field on the basis of a paltry wage of \$3.34 a day, stated that the wife of the mine-worker and the children frequently work also. Why they did not count the work of the women and children against the increased cost of living to show that the mine-workers should not have an advance in rates of pay, we are unable to understand.

Mr. Warriner's contention is, in brief, that in view of the fact that the anthracite coal industry has had a growth in regularity and stability of operation, therefore there has been a greater field of employment or opportunity for earnings, even as compared with bituminous, and hence wage rates of anthracite workers should not be put on a parity with the soft-coal rates. Production has increased, prices and profits have advanced, but in view of this fact labor has had a greater opportunity to work, and although prices and profits have advanced, the rates of pay of labor, or their participation in this advantageous condition, should be restricted to greater opportunity for employment or to work more days. In other words, when production was fluctuating, irregular and restricted, the

rates of pay of labor were not conditioned upon this fact, and they were the ultimate sufferers from all the adverse factors which affected the anthracite industry. Now that we have had a development of stability and a greater number of days worked, occasioned to a great extent by abnormal conditions—but primarily to the development of a monopoly of production and distribution, accompanied by an exploitation of the consumer by monopoly prices—the anthracite worker would be told by Mr. War-riner to “keep quiet and be content with the fact that you have an opportunity to work a greater number of days. Don’t presume to ask for an increase. Your needs are sufficiently satisfied and your increased cost of living is fully met by the fact that you can work longer, that your wives and children can work, and have we not conceded to you something we do not possess—the free gifts of nature—fresh and wholesome air, beautiful scenery, not to mention gardens, cows and pigs?”

We repudiate entirely, as I pointed out in my opening statement, the principle of the increased cost of living as a basis for the adjustment of our demands. We have shown in our exhibits that, measured by any reasonable standard and by actual investigation, the wages of anthracite mine-workers were entirely inadequate before the war. The operators have corroborated our claim by showing even in their summary of maximum earnings (Ex-

hibit No. 1, p. 22) in 1914, that the average annual earnings for inside men was only \$615, of outside men only \$643, and of laborers only \$524 to \$549. We, therefore, ask the Commission to disregard entirely the principle of the increased cost of living in fixing our wages, as we do not feel that the Commission should do us the injustice of perpetuating the deplorable conditions which existed before the war by adding the increased cost of living to pre-war rates of pay. This method is fundamentally unsound, anyhow, and was acceded to by labor during the war for the common good and because labor did not wish to profit through the national emergency.

#### Recognition of the Union.

There can be no real industrial peace or accelerated production in the anthracite industry until the United Mine Workers of America are given a full and complete recognition of their union. This is no threat. It is merely the statement of a fact. It cannot have, nor does it claim it can have, the influence over the great body of mine-workers which it should have until the operators accord it complete recognition.

Eighteen years ago the Anthracite Strike Commission stated that it would have granted recognition to the United Mine Workers had it been

within the scope of its jurisdiction. The operators refused to submit the question to arbitration. The 1902 Commission then proceeded to state what should be the proper grounds of union organization and activity, and intimated and practically promised that, under these conditions, the operators should recognize the union. This Commission said:

"An independent and autonomous organization of the anthracite mine-workers of Pennsylvania, however affiliated, in which the objectionable features above alluded to should be absent (majority vote instead of a two-thirds vote on the question of a strike), would deserve the recommendation of this Commission, and, were it within the scope of its jurisdiction, the said fourth demand of the statement of claim, for collective bargaining and a trade agreement, might then be reasonably granted."

\* \* \* \* \*

"Experience shows that the more full the recognition given to a trades union, the more businesslike and responsible it becomes. Through dealing with business men in business matters, its more intelligent, conservative and responsible members come to the front and gain control and direction of its affairs. If the energy of the employer is directed to discouragement and repression of the union he need not be surprised if the more radically inclined members are the ones most frequently heard."

\* \* \* \* \*

The operators, however, have refused such recog-

nition. Instead of taking the suggestion of the 1902 Commission as it was intended, they twisted it as an argument against us. They have done everything possible to make the union unattractive and then ask us why is the union not more attractive to the workers. They have held the union responsible for all contracts, and yet will not concede that the union is of any advantage to the workers.

For eighteen years, under these unfair and almost intolerable conditions, at great financial loss, we have maintained industrial peace and continuity of production. Were it not for the United Mine Workers of America there would be a strike in the anthracite mines at the present time.

The mine-workers wish union recognition. A great many local operators and managers would not oppose it. It has been mainly prevented by the influence of sinister and absentee financial interests who control the anthracite industry.

In support of our contention for the establishment of a closed shop in the anthracite region, which of course includes the check-off, we might state that Mr. Warriner, during the course of cross-examination, frankly admitted that the check-off system has been and is now being practiced by the mine owners of the anthracite coal field. In substance, he stated that it is the common practice for coal companies to collect from the pay envelopes by miners for supplies, water rents, etc. The

stamp of approval of the Federal and State governments has been placed upon the check-off system of the coal miners grocery bills, also amounts owed them. In support of this statement, it is conceded by the operators that taxes are collected from the pay envelopes of the mine-workers for the purpose of assisting in the maintenance of our State and Federal governments.

I believe that the Commission will give to these very important facts their most careful consideration, and that in view of the stabilizing influences of the United Mine Workers of America in the general uplift of the industry, that the Commission will mete out to the members of the United Mine Workers of America in the anthracite region that full measure of recognition which we believe they are so justly entitled to.

We think the time has come when we should enter into our reward. We feel confident that the Commission will see the injustice of the operators and completely grant our demands for union recognition.

### The Eight-Hour Day.

Our contention for the eight-hour day has been met by the operators by stating that (1) in those occupations where a longer workday than eight hours prevails, the work physically speaking is not heavy,

and (2) that to reduce the pay of these occupations to eight hours would cause great dissatisfaction and unrest.

We do not accept the principle that the daily pay in these occupations should be reduced. We demand the same wage for eight hours that is now paid for twelve hours, or whatever the length of the workday may be. When the hours of all the 2,000,000 railroad employees were reduced to eight hours before and during the war, they were granted the same pay as they had previously received for a longer period. As a matter of fact, this has always been the basis of adjustment of any reduced workday, and we are astonished to have any other interpretation placed upon it by the operators.

As to the intensity of work, this is not the real question. The period of time required to be on duty is the real injustice. According to the argument of the operators, it would be just as logical to argue that the workday of a locomotive fireman should not be reduced because, although a long time on the road, he is only required to shovel coal a part of the time and at other times may look out of the cab window at the beautiful country through which he is passing.

When a man is required to be on duty twelve hours a day he has no time for recreation, self-improvement or for home life. This is the real consideration. Long hours may also lead to fatigue or carelessness, with the resultant possibility of accident. The con-

sensus of the best opinion and investigation on this matter may be found in our exhibit entitled "The Sanction for an Eight-Hour Day." It requires no amplification here. Neither does the practicability of establishing the eight-hour day in all occupations. All criticism and objection may be eliminated by establishing three shifts of eight hours instead of two shifts of twelve hours. Moreover, no special commission or board is required to study and apply the eight-hour day. It may be applied practically by an order of the Commission.

#### **Operators Contention as to Present Wages Paid Being Living Wages.**

The objection of the operators to a subsistence or living wage has been based entirely upon their contention that wages at present paid are living wages. (Operators' Exhibit 1, pp. 34-35.) They argue that the general policy of a living wage has been upheld in the region as is attested by—

"(1) The general business prosperity, which reflects the prosperity of the dominant industry; by

"(2) The financial status of the banks, particularly savings banks and banks having savings departments; by

"(3) The patronage given to amusements and the time taken for recreation; and by

"(4) The comfort in which all the anthracite workers are able to live. There is no evidence of poverty or even of a 'bare subsistence level' in the families of the employees of the anthracite industry."

In support of these statements the operators, as fully conceded by Mr. Warriner, *offer absolutely no evidence*, other than a table purporting to show the growth of bank deposits in the anthracite coal fields of Pennsylvania, during the period 1916-1920. (Operators' Exhibit No. 1, p. 23.)

From the figures in this table the operators made two contentions:

1. That the increase in savings deposits of 48 per cent between 1916 and 1920 indicated an increased opportunity to save on the part of the mine employees; and

2. That the increase in total bank deposits indicate a general increase in the prosperity of the community in general and of mine-workers in particular.

We showed during the cross-examination of Mr. Warriner that the figures submitted bore out neither of these contentions. As regards the first contention, we demonstrated that the savings deposits entered in the table clearly included general individual deposits subject to check, as shown by an analysis of the reports of certain Scranton banks under date of June 30, 1920, as published in the local newspapers. Also that there was reason to believe that this item also included trust funds, legacies, and commercial accounts. For these reasons, it appeared that the figures of savings deposits as submitted in the table by the operators are clearly misleading and without weight.

As against the second contention of the operators, that, in any case, the increase in total bank deposits between 1916 and 1920 indicated an increasing prosperity in the community as a whole, the mine-workers made the following points:

1. That bank deposits are not a measure of the prosperity of the whole community; that, for a considerable period at least, a flourishing condition of the banking business might exist side by side with a low level of wages and living among the working population of a community.

2. That an increase in bank deposits between 1916 and 1920 might be entirely accounted for by high prices and inflated values; in other words, that the same amount of prosperity represented in loans and bank paper would have a very much higher value in 1920 than in 1916.

The operators disclaimed responsibility for the tabulation of bank deposits as submitted. We, therefore, claim that this exhibit is entirely without point and grossly misleading for the purpose for which it was intended to be used, and should be discarded by the Commission.

Other than these bank-deposit figures, the operators submitted absolutely no evidence to bear out their declaration that all the mine employees are at present enjoying sufficient wages to enable them to live in comfort. They acknowledged that these statements were based entirely on their own personal opinions and observations. They did suggest, how-

ever, that if their unsupported statements were unacceptable to the Commission—and we protest against such evidence—the Commission itself should make an investigation of actual living conditions throughout the anthracite region, visiting the various communities and personally investigating the houses and the conditions of life of the mine employees and their families. The mine-workers not only concur in this request, but pray that the Commission do make such an investigation. The Commission would be able to test the accuracy of our statements and exhibits and gain a much clearer idea of the needs of the mine-workers than we can hope to furnish through the medium of words and figures.

We would also further respectfully suggest that the Commission, in addition to their personal investigations, follow the procedure of the Bituminous Coal Commission, by requesting the Secretary of Labor to have the Commissioner of Labor Statistics send his experts to the anthracite fields to adapt his budget of a minimum standard of health and comfort to anthracite conditions. The Commission would thus secure concrete, unbiased, authoritative information as to living costs and conditions in the anthracite coal mining communities.

#### **The Living Wage and Economic Force.**

The operators, while conceding the desirability

of a living wage for all workers and maintaining that they are paying to all their own employees wages permitting of a comfortable living, contend that the application of the living wage is an impracticable and undesirable method of settling wage disputes. Their contention is apparently that the only practicable and desirable method is competition, the free working of the old law of supply and demand.

Under normal conditions in the past the mine-workers have not been in disagreement with this attitude. They, of course, desired to obtain a living wage, but they felt their best chance to obtain it was through their own action. They did not accept as a living wage the modest sum which scientists set forth as the minimum amount necessary for bare subsistence. They were, and are still, somewhat afraid that arbitration decisions based on a low scale of living might become stumbling blocks in the way of future progress. For the workers, even the lowest of them, do not want to look forward to living on a permanent level of mere subsistence, or even "health and comfort," as determined by scientific analysis of human needs. Their aspirations are for something higher—for an ever-increasing participation in the ever-increasing productivity of industry.

And they believe they can attain these aspirations through what the employees call the law of

supply and demand. For, in cold, hard fact, the law of supply and demand in modern industry means a struggle between employee and employer. Usually the struggle does not go beyond a friendly conference, but always in the background looms the shadow of economic force. In the past the employers have usually been in the strongest position because of their close organization and because of their control of the means of production—their ability to say whether work should be forthcoming. But labor has learned much, has grown in organization, and has grown in strength. The contest is not so unequal, and labor now has no doubt as to its ability to look after its own interests.

Under conditions as they now exist, however, the situation does not permit of the free play of supply and demand. In the interest of the public, in a time of tremendous industrial difficulties following the war, the mine-workers have surrendered their one weapon—the only weapon which we feel the operators respect. We feel this conviction more deeply as a result of the present proceedings, in which the true attitude of the operators towards the needs of their employees and towards the public interest has been so clearly manifested.

Thus the mine-workers come into this arbitration deprived of strength and dependent absolutely upon the Commission for justice. But the operator has surrendered nothing. He has agreed to abide by



the decision of the Commission, but that is all. Such increased costs as may be involved in wage increases he may pass on to the public, if, indeed, he has not already done so. But the mine-workers must go back to work at the wages the Commission determines, unable to pass his increased costs on to anyone else.

These facts are pointed out to show how futile in the present controversy is any discussion of the law of supply and demand as the proper determinant of wages. In normal times that means bargaining between the two parties, each according to his strength. But now, in the public interest, the mine-workers have promised not to use their strength. Moreover, to say that the wages in the anthracite industry compare favorably with the wages in other nearby industries is to beg the whole question. If the same differentials are always to be maintained between different industries, there would never be any increase in wages unless through extremely radical action.

Thus it is also futile to hold that the principal of the living wage is impracticable. Under the circumstances of this arbitration, it is the only principle that has been suggested, or can be suggested, as the basis of a just decision. The principle is not wholly satisfactory to the mine-workers, but it is the only one under which, in this arbitration, even a measure of justice can be obtained.

### The Principle of the Budgetary Plan Conceded by Mr. Warriner.

There is only one further comment which I would make in connection with the contention of the operators that our budgetary or investigation method is impracticable and unsound. It is that Mr. Warriner fully conceded in substance this point on cross-examination.

Mr. Warriner was asked whether he would follow the law of supply and demand to its last analysis in determining the rates of pay of anthracite workers, or, in other words, if he found that he was paying the rates in other industries and these rates were below a living level would he feel justified in continuing them? He replied that he would consider such a policy short-sighted and unenlightened, and that he would personally or through his assistants have an investigation made as to what the proper living wage standard should be. His attitude is, therefore, identical with ours in submitting authoritative budgets to show what a subsistence standard should be. Our constant claim has been that the budgets were illustrative in demonstrating what the wage standards should be. We, therefore, hold that Mr. Warriner has fundamentally conceded our point, and in principle there is no actual point at issue as to the impracticability of

budgets. If the Commission will have the Bureau of Labor Statistics make an unbiased budgetary investigation in the anthracite region there can be no point in dispute either in principle or in fact.

#### Wage Demands.

We are asking for certain increases in our wage rates. Our specific demand is for a minimum daily wage of \$6.00 per day for common labor, with a continuance of the differentials for skill, efficiency and experience. We are in perfect accord with the operators' contention that there should be no evening up of wages, that there should be no breaking down of the principle that special skill and other special circumstances must be duly recognized in order that a man may have a proper stimulus to advance himself in his profession and in his condition of living. We do not agree with their claim, however, that inasmuch as there is only a differential of approximately \$1.74 between the highest and lowest rates, that unrest and discord would follow the granting of our demands, because the highest paid day worker would not receive as great an increase in dollars and cents as the lowest paid. We have formulated these demands after consultation with the higher paid men. They wish the low man to be put on a decent subsistence basis.

In asking for a minimum wage scale of \$6.00 per day the mine-workers are doing so in the belief

that this is the absolute minimum amount upon which an adult man can support himself and his family in decency and health. To receive a lesser wage means either (1) to discourage marriage, or (2) to make necessary the labor of wives and young children, or (3) to bring about a steady deterioration of the health and moral qualities of the families affected.

The first of these three alternatives—the discouragement of marriage—is socially and personally undesirable.

The second—the employment of children and wives outside the home—means, in most cases, the destruction of the home, and is an evil which all high-minded people have been fighting for many years.

The third alternative—a deterioration of the health and moral qualities of the families through lack of food, improper housing, etc.—would mean, of course, destruction of all hopes and aspirations for the future of society. And in this connection, it is important to bear constantly in mind that deterioration in human and spiritual qualities is not a thing which is always immediately evident. When it is said that a family should have sufficient income to insure healthful and decent living, it does not mean necessarily that a family cannot, as a matter of mere physical fact, live on less. A family may be underfed and still live; it may be crowded into

a single room for shelter and still live; it may be denied all educational opportunities, all amusements, all chances of spiritual teachings, and still live. The human machine is tough. But such living inevitably weakens the physical and moral fiber and leads to individual and social destruction.

These conclusions are so near being self-evident truths that they need no elaboration. They are mentioned here solely to emphasize the importance of the family in wage adjustments. We hold that a wage of \$6.00 per day is the lowest wage than can be considered as a living wage in the anthracite industry as it is now operated.

#### Present Wages and Earnings.

The question of present earnings—i. e., of opportunity for annual earnings—is still undetermined and must wait for final determination upon the further investigation of the Commission. The operators have contested the accuracy of our figures and have submitted a tabulation which they claim was compiled from the pay rolls of nine companies, producing about 75% of the total output, and which purports to show "the earnings of all employees where names appear in each semi-monthly pay period in the years 1914 and 1919, classified as to occupations." The mine-workers object to the figures presented as representing the true earning

opportunities of the anthracite employees. Their objections are based on two grounds.

1. By reason of the fact that the earnings shown are only for those employees whose names appeared on every pay-roll period during the year, the resulting figures are applicable only to those fortunate individuals who had continuous or almost continuous employment during the year. In other words, these figures represent maximum earnings, and do not truly reflect the earnings of the average man.

2. Overtime earnings are included in the table. The mine-workers do not object to working overtime when necessary for the proper operation of the mines. They do object, however, to being forced to work overtime in order to earn enough to live upon, and we claim that at present many workers are forced to do this. We have, therefore, stated that in order to judge of the adequacy of present wages it is necessary to segregate and consider separately all overtime earnings.

It is of interest to divide the daily rates of the anthracite workers into the yearly earnings given in the operators' table to see how many days per year it is necessary to work in order to obtain them. We have made this calculation and the results should be laid before the Commission.

We find that the contract miner would have to work 303 days at their average daily wage rate in order to earn the sum of \$1,719 given by the oper-

ators. These contract miners constitute 39.7 per cent of all the employees listed in the table, and we know that they were not able to get as much work as this during the year 1919. Even the operators do not claim more than 273 days worked during the year, and we do not think that when the true figures become known it is likely to exceed any estimate the operators may make.

But this figure, high as it is, is conservative in comparison with the results in some of the other occupations. The inside blacksmiths, for instance, 10 per cent of whose earnings were derived from overtime, would have to work 298 days at this overtime rate, or 331 days of full time. The outside blacksmiths, including 11 per cent of overtime, would have to work 324 days, or 365 days full time; the inside company laborers 320 days; the outside laborers 340 days, including 4 per cent of overtime, or 356 full-time days; the company miners 349 days; the pumpmen 343 days; the inside timbermen 324 days, and the outside timbermen 300 days, including 14 per cent of overtime, or 350 days of full time.

All the outside occupations would have to work so as to average 363 days, including  $6\frac{1}{2}$  per cent of overtime, or 389 full-time days, in order to earn the amount charged to them by the operators, while all the occupations, inside and outside the mines, would have to work 337.6 days in order to earn the \$1,509

said by the operators to be the average earnings in 1919 for the industry.

In this connection we wish again emphatically to protest against the inclusion of anticipated overtime in any wage determination. Our position is the same as that taken recently by the board of arbitration sitting in the case of the employees against the Boston Elevated Railway Company. The chairman of that board was James L. Doherty, a leading member of the Massachusetts bar and a director of the Boston and Maine Railroad. He said in his award dated June 8, 1920:

"In the establishment of a wage rate, the amount of money to be earned on the seventh day and by anticipated overtime should not be included in the amount to be established as a fair return to the worker. The physical exertions of overtime and seventh-day work, with the accompanying deprivation of social and family intercourse, eliminate consideration of these factors against the worker in establishing his regular wage. Neither the employing company nor the public are entitled to such service as an established proposition, and schemes should be evolved in the future to eliminate it."

Pending the investigation by the Commission, however, from the partial information available certain deductions may be made in support of our position. In the first place, it may be assumed that the tabulation of annual earnings submitted by the operators does represent maximum earnings—that is to say, the

amounts which are earned by the more fortunate workers, including all payments for overtime. In other words, it may be assumed that when corrections are made in the figures it will be quite substantially in the downward direction.

With these reservations, it is interesting to note just what the operators' tabulation of earnings does show. It shows, in the first place, that the average earnings of contract miners in 1919 were only \$1,719, or not up to an average subsistence standard of \$1,772; of inside day men, \$1,334; of outside day men only \$1,409.

In addition it shows that in one occupation—drivers—the annual earnings were only \$1,157, while company laborers, constituting more than 10 per cent of all employees, earned only \$1,259; outside laborers, constituting almost 15 per cent of all employees, earned only \$1,264, and that several other occupations earned less than \$1,300. In brief, the maximum earnings shown, including overtime, on an average, fall approximately \$400 below a subsistence standard, and some are between \$600 and \$700 below subsistence, according to the most authoritative budgetary standards.

We wish to direct particular attention to these low paid occupations because they are the ones most immediately concerned in the miners' demand for a minimum wage that shall be at least a subsistence wage. As pointed out above, we are in complete ac-

cord with the operators in requesting that appropriate differentials for skill and experience shall be maintained, and we assume that such differentials will be maintained. What we are asking is that wage rates be so increased all along the line that even men in the lowest paid occupations, the lowest of them all, shall receive a wage which will permit him to support his family in health and frugal comfort and to rear children under conditions that will not handicap them in after life.

And it is *highly important* to note that *we are concerned with individual men*, not with statistical averages. The fact that the maximum average earnings of the anthracite industry may be \$1,509 means nothing to the man in an occupation which pays only, say, \$1,200 per year.

Passing to the higher levels of earnings, I would also call to the attention of the Commission the astounding showing that if the anthracite contract miners were granted the same increase of 31 per cent as was granted soft-coal tonnage workers by the Bituminous Coal Commission, the anthracite contract miner, even on the basis of these maximum earnings shown by the operators, would only then have an approach to a living wage, or approximately \$2,200 a year. The average miner would receive considerably less.

#### **The Mine Workers' Argument for a Living Wage.**

We are firmly convinced that the information we have gathered together and have submitted to the

Commission is amply sufficient to sustain our contention that the mine employees are not paid a living wage and that a wage of \$6.00 per day is the very lowest upon which a mine-worker can support himself and his family, even by the practice of the most extreme thrift and frugality. Moreover, we particularly desire that our contentions be examined in the light of the operators' replies to our exhibits and the cross-examination following their presentation. We feel that, in practically all cases, the objections of the operators will not only be found to be without weight, but that upon several points their objections and arguments strengthen our contentions. We also sincerely hope that the operators will check our exhibits by their own investigations.

The exhibits of the mine-workers on this subject are all directed to a single point, namely, the support of their contention that a wage of \$6.00 per day is the barest minimum amount upon which an employee in the anthracite industry and at prices now prevailing in the anthracite region can support a family at a level of decent living. One of our principal exhibits on this point is Employees' Exhibit No. 11 ("Income and Expenditures of Anthracite Mine Workers' Families, 1920"), which, through a printer's error, contains improperly the words, "Scranton, Pa." This exhibit, as a matter of fact, is the result of an investigation made by the mine-workers' organization, under expert supervision, of the actual cost of living of

371 anthracite mine-workers' families in various communities in the anthracite region for the months of December, 1919, and January and February, 1920.

The result of this investigation was to show that during these particular months the average monthly expenditures of these families amounted to \$178. If the expenditures for the other months of the year were at the same rate, this would mean a total average annual expenditure of \$2,136 per family. On the other hand, it is, perhaps, true that the expenditures for the winter months and around the holiday season are somewhat higher than during the rest of the year. The difference, however, cannot be very considerable, as many of the most important items of expenditure—such as food and rent—do not have any important seasonal variations. Fuel is the most important item, which is much more expensive in the winter than in the summer, but even this expense is, to some extent, balanced by the summer requirements for ice.

The fact that the average monthly income of the heads of the families covered by the investigation was much below the actual average expenditures means either that the families ran into debt or that supplementary income was obtained from the labor of other members of the family, or from outside work, such as the taking in of boarders.

We do not maintain that the information presented in this exhibit is absolutely complete or absolutely accurate. Limitations of time and space prevented

the investigation from being as comprehensive as might be desired. But we do maintain that the facts presented were honestly obtained, are substantially accurate, and throw valuable light upon the present cost of living in the anthracite region. It is the kind of investigation which we would like to see supplemented by the Commission's own studies, and we hope that this will be possible.

In Operator's Exhibit No. 10 (in reply to the exhibit now being discussed by me) certain criticisms are made of both the methods and accuracy of this investigation. We believe that every criticism there made had been anticipated and is fully answered in the original exhibit. On one point only may a brief supplementary comment be helpful. The operators claim that an average family of  $6\frac{1}{2}$  persons, including boarders, as found in our investigation, "is not a fair standard family unit and is not comparable with other 'standard' family units."

In reply it may be stated that the presence of boarders had relatively little effect on the family expenditures, as only 57 of the 371 families had boarders (p. 9), and the contributions of the boarders amounted to only 4.7 per cent of the average family income (p. 21). But a still more important thing to emphasize is the fact that this study was not intended as a budgetary study of standard families. The purpose of the study was to find out what are the actual conditions of living in the anthracite field, including,

among other things, the extent to which boarders were taken into the homes. If the anthracite worker's family is, on the average, larger than the usual family, as it appears to be in fact, then it is a matter of much importance, and a condition that has to be considered in determining the question of a minimum family income.

In addition to the exhibit just referred to, containing the results of their own studies of cost of living in coal towns, the mine-workers also submitted a series of exhibits giving the results of various studies of the living wage and living costs. (Employees' Exhibits Nos. 20, 19, 18, 10, 8, 16, 17.) We call particular attention to the exhibit entitled "Standards of Living: A Compilation of Budgetary Studies" (No. 18) and the exhibit entitled "What a Living Wage Should Be" (No. 20). The first of these is a convenient summary of practically all the budgetary studies so far made, and the second shows the present cost of each of the budgets, in so far as this is possible.

All of the budgetary studies cited in these exhibits are the result of research either by individual scholars or by organizations of recognized standing, either governmental or private. On the other hand, an examination of the manner in which these studies were made indicates clearly, as might be expected in advance, that they differ considerably in thoroughness and comprehensiveness. In general the later studies

are more thorough than the earlier ones, and also, in general, the studies made by official organizations are more thorough than the others, for the reason that the official organization usually had larger resources to devote to such work.

Unquestionably the best of the several studies are the two recent ones made by the United States Bureau of Labor Statistics and reproduced almost in full in the first two chapters of the exhibit on Standards of Living (No. 18). These studies were made by a staff of trained investigators, the work extending over a period of months, and were supplemented by the critical opinions of well-known experts in food, housing and other matters. The first study (1919), applied solely to the Government employees in the city of Washington. Using this as a base, and with certain minor changes due to later investigations, the bureau published its second study (1920), applicable to *the ordinary industrial worker*. The second budget was not priced, but inasmuch as it differed so very slightly from the first budget for the Government employees, it may be assumed that its cost is practically the same. The cost of this budget at prices prevailing in August, 1919, was \$2,262. Its present cost would be approximately \$2,600.

The comfort budget studies listed in Exhibit 20 and which constitute practically all such budgetary studies in existence, all have a present cost of over \$2,000. They average \$2,242 per annum.

It is objected by the operators that the variation in the contents and costs of the budgets renders the use of all budgetary studies impracticable in wage adjustments. That this objection is not a legitimate one is clearly pointed out by Father John A. Ryan in his well-known book on the Living Wage, which we have submitted as an exhibit to the Commission. Father Ryan states in reply to the same objection made by the operators as follows:

"Evidently the question before us cannot be answered with absolute precision. \* \* \* Nevertheless, the question can be answered with sufficient definiteness to safeguard the human dignity of the laborer and his family, and that is all that anyone care to know. We can distinguish twilight from darkness, although we cannot identify the precise moment when one changes with the other. Though we cannot say just when artificial light becomes more effective than that of the waning day, we usually call it into service before the approaching darkness proves notably inconvenient. Thus it is in the matter of a living wage. Some rates of remuneration we know to be certainly adequate, and others to be no less certainly inadequate. \* \* \*

In other words, it is a matter of evidence. The various budgetary studies made by scientists and scientific bodies constitute evidence of the highest value. That their conclusions are not identical is partly due to the somewhat different concepts of a fair living had in mind when the studies were under-



taken, partly to varying degrees of thoroughness with which the studies were made. Thus, in general, the earlier studies had in mind what has been called the "pauper" level of living—the level at which a family is just self-supporting and just ceases to be a charge upon charity. The more liberal of the later studies, on the other hand, are looking upon the worker and his family as American citizens, or as prospective American citizens, and are aiming to supply them with the essentials necessary to good citizenship.

The determination of whether particular items should or should not be included in the budget and the probable cost thereof is, of course, a matter of evidence and argument. Mr. Warriner absolutely refuses to answer any questions as to those points. But we do not feel it necessary to argue all the details of the budget, nor do we think it necessary to ask the Commission to consider the budgets in minute detail. We feel sure that even a casual examination of the material, with due reference to probable accuracy as indicated by the scientific reputation of the authors of the respective budgets, will more than substantiate our contention that at the present time the average family at the lowest level should live on less than approximately \$2,200 per year.

We think also that this statement applies, in general, to the anthracite region. The operators have

objected that none of the budgetary studies submitted have been specifically for the anthracite regions, and have contended that the cost of living is lower there than in the communities in which the studies were made. It is true that none of the budgetary studies submitted have been specifically for the anthracite regions, although it may be pointed out that (1) Professor Ogburn's Budget for Bituminous Coal Mine Workers, which at December, 1919, prices cost \$2,103.94 (Employees' Exhibit No. 19, p. 48), was for a group of smaller bituminous coal mining towns, in which certainly the conditions are not very different from those in anthracite communities; and (2) the studies made by the United States Bureau of Labor Statistics for the Bituminous Coal Commission showed that the cost of the Washington, D. C., government employees' budget, when modified to suit local conditions, would cost in various bituminous coal mining towns, at March, 1920, prices, approximately the same amount.

Furthermore, the contention of the operators that prices in the anthracite region are lower than in other communities, many of them larger communities, is unsupported by any evidence. Formal evidence on this point is, indeed, rather scant. The mine-workers submitted an exhibit showing food prices in Scranton as compared with other cities in the country in the early part of 1920. This exhibit was based on the food price statistics gathered by

the United States Bureau of Labor Statistics, and it indicates clearly that Scranton is among the more expensive cities of the country as regards food prices. Also the exhibit presented by Mr. Dempsey, which contains certain price data as reported by dealers in various communities in the Scranton district for the use of the recent Arbitration Board in the Scranton street railway controversy, indicates, although in somewhat fragmentary way, that other communities in the Scranton district had about the same level of prices as did Scranton city.

This is one of the points that the Commission might well determine through its own investigations. It appears probable that the advantage of a lower cost of living may lie with the smaller communities, but that at best there is no reason to believe that the difference is very great, when the *same standard of living* is being considered. *And the practical point is* that the mine-workers, in their demands, have conceded a most liberal difference. Thus, after submitting what we believe to be conclusive evidence that a decent American standard of living in a large number of places for which evidence is available cannot be maintained on an income of less than \$2,200 per year, we are asking for only \$6.00 per day, which in the anthracite region would offer opportunity for approximately \$1,600 per year. In other words, we are conceding a differential of between \$50 and \$500 against the anthracite regions, in order to meet all pos-

sible objections that may be made as to the precise scientific accuracy of our conclusions regarding what a living wage should be, and as to the precise cost of living in the anthracite regions as compared with other regions. Indeed, as compared with the U. S. Bureau of Labor Statistics' budget of the industrial worker, which is unquestionably the most scientific, complete and practical one in existence, the differential conceded is no less than \$1,000. Surely this is extremely liberal.

The use of the budgetary principle in wage adjustments is no new thing, as the operators would have the Commission believe, neither is it academic or theoretical. In 1917 the board of arbitration in the Seattle and Tacoma Street Railway Arbitration, of which Dr. Suzzalo, president of the University of Washington, was chairman, based its award directly on budgetary studies regarding the cost of living. The budget it arrived at as necessary for the support of a street railway employee and his family totaled \$1,505.60, and the award of the board granted an hourly wage computed to furnish this amount of earnings during the year. It may be noted also that the present cost of this budget would be approximately \$2,150.

In several cases governmental agencies have availed themselves of budgetary studies in attempting to fix the minimum wage of public employees. Thus in 1916 and 1917 in New York City the Bureau of Per-

sonal Service conducted extensive budgetary studies for the purpose of determining a fair minimum wage for unskilled laborers employed by the city. In 1918 the Philadelphia Bureau of Municipal Research made a similar study for a similar purpose. Again, in 1919, the United States Bureau of Labor Statistics, at the request of the joint congressional committee on salaries of Federal employees, made an extensive budgetary investigation to determine the minimum cost of maintaining a Government employee's family.

Finally it may be pointed out that the Bituminous Coal Commission not only had budgetary studies presented to it, but on its own motion had the Department of Labor make further studies along this line. In the final award of that commission, it is clearly indicated, as we have repeatedly stated, that the Bituminous Commission not only gave grave consideration to the principle, but it said (Report, p. 36):

"In arriving at the present wage award we were guided by the principle that every industry must support its workers according to the American standard of living."

Certainly no serious weight can be given to the statement in Operators' Exhibit No. 12 that the budgetary method is unsound because the budgets give no consideration to "opportunities for growing food-stuffs in gardens, for securing fresh eggs from the worker's own flock of chickens, for fresh milk and cream and butter from cows owned by the workers, for fresh air, open country and independent living,

which are afforded without cost to workers in many sections of the anthracite regions." Not only is it questionable justice to deduct from a worker's wages because he is willing to do overtime work in farming, but it is untrue that the budgetary studies give no weight to such considerations. Professor Ogburn's budget for bituminous-coal workers does not go into this subject quite thoroughly. His conclusion is that the savings of the average bituminous mine-worker's family on garden, chickens, etc., are not over \$15 per year. Certainly there is no reason to assume that the anthracite worker's family is very differently situated. The contention that the anthracite communities offer "fresh air, open country and independent living" to the dwellers therein would be interesting, if true, and if offered as a serious argument; but it is difficult to see just what bearing it has on the question of the cost of living.

#### Danger in Impairment of Real Wages.

Impairment of real wages is fraught with danger to the vitality and health of a nation. All recent experience has emphasized this fact. This means a final repudiation of the old theory that wages must be determined by the law of supply and demand. It means that the enlightened opinion of mankind has refused any longer to sanction such a hopeless theory of wage-fixing.

During a generation it has been becoming more

and more apparent that the ultimate result of the application of this theory means a steady impairment in the physical and mental capacity of industrial life of the British people. The poverty, the tendency to disease, the diminished efficiency which resulted became particularly apparent when war demanded the full strength of the nation. England then found that one-third of her men were unfit for military service. The result of this failure to pay a living wage in England has been graphically stated by Mr. Vanderlip, ex-president of the National City Bank, and his statement is quoted in our exhibit on the Sanction for a Living Wage.

England has learned her lesson. Her statesmen are today working on policies which will avoid such national tragedy in the future. And England is not the only country in dire need of such industrial statesmanship. The report of the Provost Marshal General of the United States, as we have quoted, shows that over one-fourth of the men examined in our country were found unfit for general military service. The percentage in urban centers was much higher. Such a condition was the result of pre-war policies which allowed the worker nothing more than a bare subsistence wage. The industrial statesmen or judicial bodies, such as this Commission, who carry such a policy over into the present reconstruction period will be held up to the condemnation of future generations.

### First Appearance of Industrial Statesmanship—a Subsistence Minimum.

Even before the war poverty had become so obviously a disease of our industrial life—one which might infect the entire life of the community—that the leaders in all walks in life determined to turn from the old conception of the law of supply and demand in fixing wages. The first step consisted in insisting upon a bare *subsistence* minimum for every family, a minimum wage which would provide at least for mere animal needs. This early minimum wage theory was inspired by the feeling that unless the community turned its mind to controlling the stupendous forces acting through the modern industrial order wages would persist in falling below the poverty line to the point where children never got the chance coming from vigorous bodies, where low-grade intelligence and low-grade physique rendered the tendency to disease and immorality vastly greater by lowering the resistance existing in health.

This meant that industrial statesmanship was beginning to take the place of industrial anarchy. Hundreds of quotations from well-known men, from the pronouncements, awards and enactments of public bodies, have been cited by us to show this swing of enlightened opinion to the minimum subsistence wage. One such opinion is especially

worthy of note—that of Justice H. B. Higgins in an award handed down by the Australian Arbitration Court, as follows:

"It ought to be firmly admitted that as a rule the economic position of the individual employee is too weak for him to hold his own in an unequal contest. He is unable to insist on the comfort needed. The power of the employer to withhold bread is much more effective than the power of the employee to refuse to labor. Freedom of contract, under such circumstances, is surely misnamed; it should rather be called despotism in contract; and this court is empowered to fix a minimum wage as a check on despotic power. \* \* \*

It was empowered to fix a minimum wage because the community was bound to suffer unless workers were able to obtain the comfort needed. The United States is in the same position, and the decision of this Commission must take into consideration the minimum below which citizenship will suffer in vitality and in ethical and spiritual essentials.

#### Early Budgetary Studies.

Early studies of living standards and budgetary requirements were based upon this hypothesis—that the minimum requirements for social and individual health were satisfied by a mere subsistence wage—just enough to keep body and soul together.

As a result of an exhaustive inquiry for the Rus-

sell Sage Foundation, Dr. Chapin fixed this minimum requirement for a family of five in 1907 at from \$800 to \$900 per year. He found that there was a percentage of underfed, underclothed and inadequately housed families in all income groups under \$1,000, a percentage which reached 76 per cent for all families with incomes under \$600 per year.

Other investigations took account of infant mortality and general sickness rates, coming to approximately the same conclusion as to what constituted a bare subsistence minimum.

#### The Inadequacy of This Subsistence Minimum. Health and Comfort Essential.

These early studies have already been found to have been based on a false premise. But they represented a real step in advance—a precedent for the substitution of intelligent study and control for the blind bondage to inhuman forces which characterize the past. Men began to see that society was a thing which the intelligence of man could make or mar, that it was up to men for their own sakes and for the sake of their children to take a hand in the making of a more human, a more intelligent, and especially a more healthy society.

This precedent, once accepted, could not be laid aside; for it revealed the great underlying fact,

that the life of a people cannot be divided, one part given the conditions of health and strength and intelligence, and the other part left in poverty, a prey to misery and disease. If part of a people is unhealthy, unintelligent, diseased, the whole will suffer. In the cure of such disease the minimum subsistence wage was the first step.

But it was only the first step. Something more than a mere subsistence was found to be necessary if men were to become good and intelligent members of society, cooperating in its essential enterprises. In other words, it was discovered that a mere subsistence did not make for good citizenship. It meant workers without initiative, workers who were discontented—a general reduction in the efficiency of industry.

In fact, a mere subsistence wage did not even make men good instruments of the community, for it treated human beings as mere domesticated animals. The sabotage practiced upon human lives by a theory which provided that men, women and children be no more than housed and fed as cattle that they might be useful was met by an unconscious failure on the part of the workers to cooperate in a human enterprise.

The right to a decent income—to a living wage—is a part of the right of personal freedom. It is a fundamental economic right of the mine-workers. Citations to prove this are unnecessary. They will

be found in great number in the exhibit which has already been presented, as to the Sanction for a Living Wage. They show the almost universal sanction which has been accorded to the living-wage principle by statesmen, by economists and health experts, by Commissions and Arbitration Boards, by the nations individually, by the nations collectively assembled at the Paris peace table, and finally by all Christian denominations, whether Catholic or Protestant.

The report of the President's Industrial Conference, dated March 6, 1920, sums up the matter effectively:

"Considered from the standpoint of public interest, it is fundamental that the basic wages of all employees should be adequate to maintain the employee and his family in reasonable comfort, and with adequate opportunity for the education of his children. When the wages of any group fall below this standard for any length of time, the situation becomes dangerous to the well-being of the State."

It is this new standard for wages which includes more than a mere subsistence, which adds reasonable comfort, that is today recognized as essential if we are to have a healthy citizenship. The failure of the anthracite coal industry to pay a living wage limits a man's liberty, limits his ability to pursue happiness, limits his ability to live to the full—in short, abridges the inalienable rights guaranteed to him in the Declaration of Independence.

It is, therefore, intolerable in America. *A wage below a living wage is un-American.*

This is a severe indictment of the social stamanship of the past. Today tens of thousands of employees in the anthracite field are looking to this Commission with confidence that it will approach the problem constructively and give an answer in terms of a concrete living wage.

There is no longer lack of understanding as to what constitutes a living wage. A number of carefully prepared budgetary studies made by experts show, as I have already pointed out, that \$2,000 to \$2,500 is the least which an intelligent and humane country can safely offer. Below this health and reasonable comfort are impossible. This is immediately apparent upon a glance at the items which compose these budgets, at the meagerness of the clothing allotment, at the lack of provision for savings, books, etc., which should be a part of an American standard of living. And I would lay stress upon the fact and again call especially the attention of the Commission to the fact that we have been so conservative in applying our budgets that we have asked only for a subsistence wage and have given to the anthracite region a differential of \$500 to \$1,000 over the localities upon which studies have been based.

Below this level lies danger to the welfare of the country. There is a real menace in the facts, which

the cold figures submitted by the operators as to present anthracite earnings reveal. When compared with Dr. Chapin's estimates, carefully revised in terms of present budgets and brought up to date, we find that only a few classes of anthracite workers are earning even a bare subsistence wage, and that the average for the entire body of 150,000 workers places them in a group where approximately 50 per cent of the families would be underfed if some ways were not found to supplement the earnings of the head of the family who works in the mines.

Such conditions are intolerable. They prove that no mere restoration of the pre-war relationship between earnings and the cost of living will adequately cope with the problem. Before the war, as today, the only possibility open to an anthracite miner's family lay in supplementing the earnings in the mines of the head of the family. Children were put out to work, the wife worked or took in boarders. Authoritative figures show (Immigration Commission Report, Employees' Exhibit No. 16) that before the war only approximately 70 per cent of the income of these families came from the earnings of the husband. To the extent of 30 per cent it had to come from other devices, approximately 18 per cent coming from the earnings of the children, who were thus debarred from the opportunities for education which should be a part of the heritage of every American child.

Prior to the war over 40 per cent of the wives of

the anthracite miners either kept boarders and lodgers or were employed for wages. Approximately 28 per cent of the families were supported either wholly or in part by contributions from the children.

Such conditions have been exploited by other industries. The fact that this basic industry does not make possible even the adequate provision of subsistence for a family has placed women and children at the mercy of such industries as the silk industry, which was established in the anthracite region on the theory that the wives and children of the mine-workers would have to work. It was seeking just such a supply of cheap labor as these partially provided for miners' families furnished. Can there be any greater condemnation of the anthracite industry than the fact that this area is, next to Paterson, N. J., the greatest silk manufacturing locality in the United States?

#### The Path of Social Statesmanship.

Obviously the restoration of pre-war wage rates would be unacceptable to us and undesirable. If it were merely a question of applying the increase in the cost of living to the pre-war rates of the 150,000 mine-workers, we would not deem it necessary to present this case. Such adjustment would be automatic, merely performed by the statistical force of the Commission.

We conceive of the Commission's work as something more than this, as one carrying with it heavy

responsibility, calling for *real industrial statesmanship*. The British Government is going ahead along such lines in order to prevent in the future such results as have been shown in the quotation from Mr. Vanderlip. And the first plank in her platform is a living wage. In his publication, *The Future*, England's Prime Minister speaks as follows:

"Millions of gallant young men have fought for the new world. Hundreds of thousands died to establish it. If we fail to honor the promise given to them, we dishonor ourselves.

"What does a new world mean? What was the old world like? *It was a world where toil for myriads of honest workers, men and women, purchased nothing better than squalor, penury, anxiety and wretchedness, a world scarred by slums and disgraced by sweating, where unemployment through the vicissitudes of industry brought despair to multitudes of humble homes; a world where, side by side with want, there was waste of the inexhaustible riches of the earth, partly through ignorance and want of forethought, partly through intrenched selfishness.*

"If we renew the lease of that world, we shall betray the heroic dead. We shall be guilty of the basest perfidy that ever blackened a people's fame. Nay, we shall store up retribution for ourselves and for our children \* \* \*

"It should be the sublime duty of all, without thought of partisanship, to help in building up the new world, where labor shall have its just reward and indolence alone shall suffer want."



## The Requirements of Reconstruction.

This Commission has a call to industrial statesmanship. And it must be heeded. Today we are in the midst of such a period of reconstruction as the world has never been called upon to face before. Today we are, perhaps, at the critical moment in that reconstruction. For this reason, the wage adjustment which is before you differs in character and importance from any that has gone before. And the position of this Commission, as we view it, is one of unusual dignity and heavy responsibility. Upon the attitude taken by this Commission depends the cooperation in this reconstruction period of a hundred and fifty thousand essential workers. This cooperation will depend upon an almost instinctive and certainly fundamental perception of concrete justice by the Commission.

On all sides we hear the cry, "More production." There is scarcely a man today before the public who has not at one time or another stressed the importance of production as the very essence of the solution of our after-the-war problems.

The cooperation of labor is necessary. It has not been forthcoming to the extent that men have desired. Any competent industrial observer will diagnose the situation, will recognize that it is due to the fact that the conditions which surround the worker's toil and life are not such as to cause him to go to work with

enthusiasm. The problem of this Commission is to secure those conditions under which anthracite mine-workers can and will cooperate in this work most effectively, with the greatest possible reserve of health and energy.

This will involve the establishment of conditions under which the worker will feel himself to be a member of the community, not a mere instrument of production. And the first step toward such assurance is to grant him the means to self-respecting citizenship.

The accumulating experience of industrial unrest points definitely to the absolute and immediate need of such a step. It is recognized as a means to industrial efficiency. A stroke of industrial policy which would remove the economic uncertainty which haunts the majority of workers in the anthracite region would release a store of energy which would mean great economic gain to the country as a whole. The folly of the idea that competition for starvation wages is the best incentive to efficient work has been apparent for a considerable period. The old idea of competition for cheap labor is now seen to have defeated its own end, to have rendered the workers as a group more and more incapable physically, mentally and spiritually, of efficiency. It has been competition on such a low level as to appear a blot upon the social intelligence of humanity.

The guaranty to every worker of a living wage

raises competition to the level of efficiency. It is a constructive problem of social statesmanship to secure this end. It is the very heart of the reconstruction problem.

Reconstruction must not be simply a wholesale rebuilding of all that once existed—any more than the rebuilding of a fire-swept city should follow narrow streets and unsanitary lines which existed previously. Reconstruction affords the industrial statesman with the priceless opportunity to build a fairer, more effective, healthier, economic structure, an opportunity which is a moral obligation.

It is in this spirit that we hope to see the Commission reconstruct the deplorable conditions which have existed and which now exist in the anthracite region by—

1. Recognition of the union as the basis of collective bargaining;
2. By granting an eight-hour day to those workers who haven't it; and
3. By the establishment of a basic living wage, with differentials above it for skill, efficiency and experience.

We can readily appreciate the difficulties of the Commission. It reported that after the armistice a group of citizens visited Clemenceau and congratulated him on the allied victory. He replied:

"Our difficult time is just approaching. It is harder to win peace than to win war."

We believe, however, that the Commission will approach its problem on the basis of the fundamental principles of this period, which President Wilson has stated in his letter as the period of reconstruction. The present situation has been no better described than in a recent statement by Robert M. Speer, the eminent churchman:

"The war grew out of the past, but it was not fought for the past. It was fought for the future—to clear the way for a different and better world. So far as the past rested on wrong principles, the time has come for breaking from it. The world wants a clean and just piece of work done and done once for all. The new order makes its demands. The walls must be moved out—there must be room for the spirit of eight million men who died for the larger world. They bid us let the old evils go and bring in the new good."

We ask and feel confident that the Commission will let the old evils go and bring in the new good to which we think the anthracite workers are entitled.

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TITLE**